

Applicant: VIOLA, Jean-Pascal et al.

Atty. Docket No.: 14703-2US SC/ip

Serial No.: 10/758,325

Filed: January 16, 2004

Title: PRE-FILLED CRYSTALLIZATION PLATES AND METHODS FOR MAKING AND

USING SAME

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97

Commissioner for Patents

Mail Stop Amendments

PO Box 1450

Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on a PTO/SB/08A/B form is a listing of the documents known to applicant in order to comply with applicant's duty of disclosure pursuant to 37 C.F.R. § 1.56. A copy of two of the listed documents is also being submitted herewith to comply with the provisions of 37 C.F.R. § 1.98.

The submission of any document which is not a statutory bar is not intended as an admission that such document constitutes prior art against the claims of the present application. Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a <u>prima facie</u> prior art reference against the claims of the present application.

Statement of Relevancy

The listed document(s) is/are being submitted either in compliance with 37 C.F.R. §1.97(b), within three (3) months of the filing date of a national application or of the date of entry of the national stage in an international application; or pursuant to 37 C.F.R. §1.97(e)(1), within three (3) months from the date of an office action or of a search report issued in a foreign counterpart application citing each of the documents contained in the present statement; or pursuant to 37 C.F.R. §1.97 (e)(2), within three (3) months from the first knowledge of each submitted document by any individual designated in C.F.R. §1.56 (c), when each such document was not cited in a communication from a foreign patent office in a counterpart foreign application.

In the case of submissions under 37 C.F.R. §1.97(e)(1) and (2), the undersigned Attorney/Agent of Record hereby certifies that the enclosed references are hereby submitted within three months (1) from the issuance of the foreign action or search report, or (2) from said

first knowledge, respectively.

Date: June 7, 2004

Respectfully submitted

Michel Bélanger, Reg. No. 38,015

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Encls. - Form PTO/SB/08A/B + copy of 2 cited refs.

PTO/SB/08A/B 08-03)

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Substitute for form 1449PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

10/758,325 **Application Number** Filing Date January 16, 2004 VIOLA, Jean-Pascal **First Named Inventor** Art Unit 3751 **Examiner Name**

Complete if Known

(use as many sheets as necessary)

14703-2US Sheet Attorney Docket Number SC/ip of

	U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.1	Document Number Number – Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	
		US-6,148,878	Nov. 21, 2002	Ganz et al.		
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	FOREIGN PATENT DOCUMENTS						
Examiner	Cite	Foreign Patent Document	Publication Date	Name of Patentee or	Pages, Columns, Lines		
Initials*	No. ¹	Country Code3 - Number4 - Kind Code5 (if known)	MM-DD-YYYY	Applicant Of Cited Document	Where Relevant Passages or Relevant Figures Appear	T ^e	
		WO 00/47323	08-17-2000	Viola et al.			
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Examiner	Date	
Signature	Considered	1

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is

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Substitute for form 1449PTO				Complete if Known		
				Application Number	10/758,325	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			CLOSURE	Filing Date	January 16, 2004	
			PPLICANT	First Named Inventor	VIOLA, Jean-Pascal	
				Art Unit	3751	
			ecessary)	Examiner Name		
Sheet	2	of	2	Attorney Docket Number	14703-2US SC/ip	

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²		
		Bernard LORBER and Richard GIEGÉ, "A versatile reactor for temperature controlled crystallization of biological macromolecules", Journal of Crystal Growth 122 (1992) 168-175, North-Holland			
	.				

Examiner	Date	
Signature	Considered	

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¹ Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.